

APPEAL,CAT B

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00096-CKK-1**

Case title: USA v. HANDY et al

Date Filed: 03/24/2022

Assigned to: Judge Colleen
Kollar-Kotelly

Defendant (1)

LAUREN HANDY

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Pending Counts

18:241; CONSPIRACY
AGAINST RIGHTS OF
CITIZENS; Conspiracy Against
Rights.
(1)

18:241; CONSPIRACY
AGAINST RIGHTS OF
CITIZENS; Conspiracy Against
Rights.
(1s)

18:248(a)(1); ACCESS TO
CLINIC ENTRANCE (1ST
OFF, VIOLENT); Freedom of
Access to Clinic Entrances Act.
(2)

18:248(a)(1), 2; ACCESS TO
CLINIC ENTRANCE (1ST
OFF, VIOLENT); Freedom of
Access to Clinic Entrance Act.
(2s)

Disposition

Jury Verdict of Guilty

Jury Verdict of Guilty

Highest Offense Level
(Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

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Date Filed	#	Docket Text
03/24/2022	<u>1</u>	SEALED INDICTMENT as to LAUREN HANDY (1) count(s) 1, 2, JONATHAN DARNEL (2) count(s) 1, 2, JAY SMITH (3) count(s) 1, 2, PAULA "PAULETTE" HARLOW (4) count(s) 1, 2, JEAN MARSHALL (5) count(s) 1, 2, JOHN HINSHAW (6) count(s) 1, 2, HEATHER IDONI (7) count(s) 1, 2, WILLIAM GOODMAN (8) count(s) 1, 2, JOAN BELL (9) count(s) 1, 2. (zhsj) (Entered: 03/27/2022)
03/24/2022	<u>3</u>	MOTION to Seal Indictment and Related Matters and to Delay Entry on the Public Docket by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA "PAULETTE& HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL. (Attachments: # <u>1</u> Text of Proposed Order) (zhsj) (Entered: 03/27/2022)
03/24/2022	<u>4</u>	ORDER granting <u>3</u> Motion to Seal Indictment and Related Matters and to Delay Entry on the Public Docket as to LAUREN HANDY (1), JONATHAN DARNEL (2), JAY SMITH (3), PAULA "PAULETTE& HARLOW (4), JEAN MARSHALL (5), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), JOAN BELL (9). Signed by Magistrate Judge Zia M. Faruqui on 3/24/2022. (zhsj) (Entered: 03/27/2022)
03/30/2022		Case unsealed as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL per Government's notification and confirmation. (zntp) (Entered: 03/30/2022)

03/30/2022	<u>6</u>	Arrest Warrant Returned Executed on 3/30/2022 as to LAUREN HANDY. (zhshj) (Entered: 03/30/2022)
03/30/2022		Arrest of LAUREN HANDY (1). (ztl) (Entered: 03/31/2022)
03/30/2022	<u>10</u>	Arrest Warrant Returned Executed on 3/30/2022 as to LAUREN HANDY (1). (ztl) (Entered: 03/31/2022)
03/30/2022		ORAL MOTION to Appoint Counsel by LAUREN HANDY (1). (ztl) (Entered: 03/31/2022)
03/30/2022		ORAL MOTION for Speedy Trial by USA as to LAUREN HANDY (1). (ztl) (Entered: 03/31/2022)
03/30/2022		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Initial Appearance as to LAUREN HANDY held on 3/30/2022. Case called for an Arraignment but not held. Defendant present by telephone. The Court Advised the Government of it's Due Process Obligations under Rule 5 (f). Oral Motion to Appoint Counsel by LAUREN HANDY (1); heard and granted. Government did not seek detention. Oral Motion by the Government for Speedy Trial as to LAUREN HANDY (1); heard and granted. Defense agrees to exclusion. Speedy Trial Excluded from 3/30/2022 to 4/29/2022 in the Interest of Justice (XT). Status Hearing/Arraignment set for 4/29/2022 at 2:30 PM by Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Defendant Released/Release Issued; Court Reporter: FTR-Gold; FTR Time Frame: Ctrm 4 [4:02:23-4:23:24]; Defense Attorney: Mary Petras; US Attorney: Molly Gaston; Pretrial Officer: John Copes. (ztl) (Entered: 03/31/2022)
03/30/2022	<u>12</u>	ORDER Setting Conditions of Release as to LAUREN HANDY (1) Personal Recognizance. Signed by Magistrate Judge Zia M. Faruqui on 3/30/2022. (Attachment: # <u>1</u> Appearance Bond) (ztl) (Entered: 03/31/2022)
03/31/2022	<u>9</u>	NOTICE OF ATTORNEY APPEARANCE: Mary Manning Petras appearing for LAUREN HANDY (Petras, Mary) (Entered: 03/31/2022)
03/31/2022		MINUTE ORDER as to LAUREN HANDY: The Court hereby ORDERS the parties to appear for a status hearing regarding Defendants Conditions of Release, on Monday, April 4, 2022 at 11:00am. SO ORDERED. Signed by Magistrate Judge Zia M. Faruqui on 3/31/2022. (ztl) (Entered: 03/31/2022)
04/01/2022	<u>14</u>	NOTICE OF ATTORNEY APPEARANCE Elizabeth Ann Aloï appearing for USA. (Aloi, Elizabeth) (Entered: 04/01/2022)
04/04/2022		Minute Entry for proceedings held before Magistrate Judge Zia M. Faruqui: Status Hearing/Arraignment as to LAUREN HANDY (1) as to Counts 1,2 held on 4/4/2022. Defendant present by video. Plea of NOT guilty entered as to all counts. Bond Status of Defendant: Defendant Remain on Personal Recognizance; Court Reporter: FTR-Gold; FTR Time Frame: Ctrm 4 [11:15:36-11:19:55]; Defense Attorney: Mary Petras; US Attorney: Elizabeth Aloï; Pretrial Officer: John Copes. (ztl) (Entered: 04/04/2022)
04/12/2022	<u>46</u>	ORDER denying 45 Emergency Revised Petition to Amend Bond to Permit International Travel as to HEATHER IDONI (7). Signed by Judge Colleen Kollar-Kotelly on April 12, 2022. (lcckk1) (Entered: 04/12/2022)
04/13/2022	<u>47</u>	

		NOTICE OF ATTORNEY APPEARANCE Sanjay Harivadan Patel appearing for USA. (Patel, Sanjay) (Entered: 04/13/2022)
04/26/2022	<u>52</u>	MOTION for Protective Order by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 04/26/2022)
04/27/2022		MINUTE ORDER: The Court is in receipt of the Government's <u>52</u> Motion for Protective Order. The Government states that Defendants Bell(9), Goodman(8), and Handy(1) object to portions of the protective order, and that Defendants Smith(3), Darnell(2), and Harlow(4) have not yet taken a position. Accordingly, Defendants Bell(9), Goodman(8), Handy(1), Smith(3), Darnel(2), and Harlow(4) may file opposition(s), jointly or separately, to the Government's <u>52</u> Motion on or before May 2, 2022. The Government may file a reply in support of its <u>52</u> Motion on or before May 5, 2022. An arraignment and initial status hearing remains scheduled in this case for April 29, 2022 at 2:30 PM ET. Signed by Judge Colleen Kollar-Kotelly on April 27, 2022. (lcckk1) (Entered: 04/27/2022)
04/28/2022	<u>63</u>	BRADY ORDER as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL. Signed by Judge Colleen Kollar-Kotelly on April 28, 2022. (lcckk1) (Entered: 04/28/2022)
04/29/2022		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to LAUREN HANDY(1), JONATHAN DARNEL(2), JAY SMITH(3), PAULA PAULETTE HARLOW(4), JEAN MARSHALL(5), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), JOAN BELL(9) held on 4/29/2022. All parties' Responses to <u>52</u> due by 5/9/2022. Government's Reply to <u>52</u> due by 5/16/2022. No further hearing date scheduled at this time. Bond Status of Defendants: Personal Recognizance as to Defendants 1, 2, 3, 4, 5, 6, 7, 8 and 9; Court Reporter: Lisa Moreira; Defense Attorney: 1-Mary M. Petras, 2-Brian K. McDaniel, 3-Nicholas G. Madiou, 4-Allen Orenberg, 5-John L. Machado, 6-Alfred Guillaume, III, 7-Peter A. Cooper, 8-Howard J. Walsh, III, and 9-Stephen F. Brennwald; US Attorney: Elizabeth A. Aloi. (dot) (Entered: 04/29/2022)
05/06/2022		MINUTE ORDER as to LAUREN HANDY(1), JONATHAN DARNEL(2), JAY SMITH(3), PAULA PAULETTE HARLOW(4), JEAN MARSHALL(5), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), JOAN BELL(9): During the April 29, 2022 status hearing, the Court deferred setting a date for the next status hearing, informing the parties that Chambers would coordinate with the parties to find a suitable time. On May 3, 2022, Chambers emailed a Doodle poll (an online scheduling application) to all counsel of record, directing them to complete the poll by May 5, 2022 at 5:00 PM ET. To date, only four of the ten parties to this matter (the Government included) have completed the poll. Accordingly, it is hereby ORDERED that each party, through counsel, shall complete that poll on or before May 9, 2022 at 9:00 AM ET . The parties may contact Chambers for technical assistance if necessary. After May 9, 2022 at 9:00 AM ET, the Court will enter an order setting the next status hearing for which the parties will make themselves available. Signed by Judge Colleen Kollar-Kotelly on May 6, 2022. (lcckk1) (Entered: 05/06/2022)
05/09/2022	<u>69</u>	RESPONSE by LAUREN HANDY re <u>52</u> MOTION for Protective Order (Petras, Mary) (Entered: 05/09/2022)

05/16/2022		<p>MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of the parties' availability for a status conference in this case. Based on that availability, the Court shall set two status conferences. First, Defendants Hinshaw(6), Handy(1), Harlow(4), and Idoni(7) shall appear for a status conference on June 7, 2022 at 10:00 AM ET. Second, Defendants Marshall(5), Smith(3), Darnel(2), Goodman(8), and Bell(9) shall appear for a status conference on June 13, 2022 at 10:00 AM ET. Both status conferences shall proceed via videoconference.</p> <p>If each Defendant consents to the tolling of Speedy Trial time from the date of this Minute Order to the date of their respective status conference, counsel for each Defendant shall file a written notice signed by Defendant himself on the docket on or before May 27, 2022. Signed by Judge Colleen Kollar-Kotelly on May 16, 2022. (lcckk1) (Entered: 05/16/2022)</p>
05/16/2022		Set/Reset Hearings as to LAUREN HANDY(1), PAULA PAULETTE HARLOW(4), JOHN HINSHAW(6), HEATHER IDONI(7): Status Conference set for 6/7/2022 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. (dot) (Entered: 05/18/2022)
05/17/2022	<u>71</u>	NOTICE OF ATTORNEY APPEARANCE: Dennis E. Boyle appearing for LAUREN HANDY (Boyle, Dennis) (Main Document 71 replaced on 5/19/2022) (zhsj). (Entered: 05/17/2022)
05/17/2022	<u>72</u>	NOTICE OF ATTORNEY APPEARANCE: Blerina Jasari appearing for LAUREN HANDY (Jasari, Blerina) (Main Document 72 replaced on 5/19/2022) (zhsj). (Entered: 05/17/2022)
05/17/2022	<u>73</u>	MOTION for Leave to Appear Pro Hac Vice Attorney: Martin Cannon. by LAUREN HANDY. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Boyle, Dennis) (Entered: 05/17/2022)
05/18/2022		<p>MINUTE ORDER granting <u>73</u> Motion for Leave to Appear Pro Hac Vice as to Martin Cannon conditional upon counsel Cannon filing a declaration by May 27, 2022 stating that he has reviewed and is familiar with the Local Rules of this court.</p> <p>Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a) . Signed by Judge Colleen Kollar-Kotelly on May 18, 2022. (lcckk1) (Entered: 05/18/2022)</p>
05/26/2022	<u>75</u>	NOTICE of Waiver of Speedy Trial by LAUREN HANDY (Boyle, Dennis) (Entered: 05/26/2022)
05/30/2022		<p>MINUTE ORDER as to LAUREN HANDY (1): On May 18, 2022, the Court granted counsel Defendant Handy's <u>73</u> Motion for Leave to Appear Pro Hac Vice as to Martin Cannon conditional upon counsel Cannon filing a declaration by May 27, 2022 stating that he has reviewed and is familiar with the Local Rules of this court. No such notice has been filed. Accordingly, counsel Cannon shall file his notice on or before June 2, 2022. Signed by Judge Colleen Kollar-Kotelly on May 30, 2022. (lcckk1) (Entered: 05/30/2022)</p>
05/31/2022	<u>82</u>	ORDER granting <u>52</u> Motion for Protective Order as to ALL DEFENDANTS. Signed by Judge Colleen Kollar-Kotelly on May 31, 2022. (lcckk1) (Entered: 05/31/2022)
05/31/2022	<u>83</u>	PROTECTIVE ORDER as to ALL DEFENDANTS. Signed by Judge Colleen Kollar-Kotelly on May 31, 2022. (lcckk1) (Entered: 05/31/2022)

06/02/2022	<u>85</u>	NOTICE OF ATTORNEY APPEARANCE: Martin A. Cannon appearing for LAUREN HANDY (Cannon, Martin) (Entered: 06/02/2022)
06/07/2022		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to LAUREN HANDY(1), PAULA PAULETTE HARLOW (4), JOHN HINSHAW (6), HEATHER IDONI (7) held on 6/7/2022. Speedy Trial (XT) is tolled in the Interest of Justice from 6/7/2022 to 8/9/2022 as to Defendants 1, 4, 6, 7. Status Conference set for 8/9/2022 at 10:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance: LAUREN HANDY (1), PAULA PAULETTE HARLOW (4), JOHN HINSHAW (6), HEATHER IDONI (7); Court Reporter: Lisa Griffith; Defense Attorney: Martin A. Cannon and Blerina Jasari (1), Allen H. Orenberg (4), Alfred Guillaume, III (6), Robert J. Dunn (7); US Attorney: Elizabeth A. Aloï and Sanjay H. Patel. (dot) (Entered: 06/07/2022)
07/25/2022	<u>98</u>	RESPONSE TO ORDER OF THE COURT by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL re Order,,,,,, (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 07/25/2022)
07/25/2022		MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of the Government's [98-1] Proposed Pretrial Scheduling Order. Therein, the Government proposed two trials commencing in March 2023. The parties shall meet and confer and file two joint proposed scheduling orders, one as to Defendants Harlow, Marshall, Hinshaw, Smith, and Darnel, and one as to Defendants Handy, Bell, Goodman, and Idoni. The parties shall file their joint proposed scheduling orders on or before August 5, 2022 . Signed by Judge Colleen Kollar-Kotelly on July 25, 2022. (lcckk1) (Entered: 07/25/2022)
07/25/2022		Set/Reset Deadlines as to LAUREN HANDY(1), JONATHAN DARNEL(2), JAY SMITH(3), PAULA PAULETTE HARLOW(4), JEAN MARSHALL(5), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), JOAN BELL(9): The parties shall file their joint proposed scheduling orders on or 8/5/2022. (dot) (Entered: 07/25/2022)
08/05/2022	<u>100</u>	RESPONSE TO ORDER OF THE COURT by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL re Order,, (Aloi, Elizabeth) (Entered: 08/05/2022)
08/05/2022	<u>102</u>	RESPONSE TO ORDER OF THE COURT by LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL re Order,, <i>Proposed Schedule and Grouping of Defendants</i> (Brennwald, Stephen) (Entered: 08/05/2022)
08/08/2022	<u>104</u>	PRETRIAL SCHEDULING ORDER as to ALL DEFENDANTS. Trial for Defendants Handy, Bell, Goodman, and Idoni set for March 27, 2023 . Trial for Defendants Harlow, Marshall, Smith, Hinshaw, and Darnell set for April 11, 2023 . All other deadlines applicable to all Defendants. Signed by Judge Colleen Kollar-Kotelly on August 5, 2022. (lcckk1) (Entered: 08/08/2022)
08/09/2022		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly:Status Conference as to LAUREN HANDY (1), PAULA PAULETTE

		<p>HARLOW (4), JOHN HINSHAW (6), HEATHER IDONI (7) held on 8/9/2022. Speedy Trial (XT) is tolled in the Interest of Justice from 8/9/2022 to 10/24/2022. Status Conference as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7) WILLIAM GOODMAN (8) set for 10/24/2022 at 10:30 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Status Conference as to PAULA PAULETTE HARLOW (4) set for 10/24/2022 at 11:30 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance, LAUREN HANDY (1), PAULA PAULETTE HARLOW (4), JOHN HINSHAW (6), HEATHER IDONI (7); Court Reporter: Lisa Edwards; Defense Attorney: Martin A. Cannon (1), Allen H. Orenberg (4), Alfred Guillaume, III (6), Robert J. Dunn (7); US Attorney: Elizabeth A. Aloï and Sanjay H. Patel. (dot) (Entered: 08/10/2022)</p>
08/10/2022		<p>MINUTE ORDER as to LAUREN HANDY (1), PAULETTE HARLOW (4), JOHN HINSHAW (6), HEATHER IDONI (7): The Court held a status hearing in this case on August 9, 2022. With consent, Defendants were present via videoconference and represented by counsel. The Court discussed the status of discovery and pretrial scheduling. In light of Defendants' representation that some or all of them may retain expert witnesses, the Court will enter an amended pretrial scheduling order adding relevant deadlines. The Court also discussed the viability of the trial dates of March 27, 2023 and April 11, 2023. Counsel for Defendant Hinshaw indicated he may be unavailable for both dates. The Court will keep the present dates for the moment. Finally, the Court set a status hearing for October 24, 2022 at 10:30 AM ET and October 24, 2022 at 11:30 AM ET. Defendants Handy (1), Hinshaw (6), and Idoni (7) shall attend the former, and Defendant Harlow (4) shall attend the latter. Defendants have consented to the next hearings proceeding via Zoom.</p> <p>During the August 9, 2022 status hearing, the Court discussed with Defendants their Speedy Trial Act rights, and Defendants consented to a continuance of Speedy Trial rights until the date of the next status hearing. Accordingly, the Court finds that a continuance of Defendants Speedy Trial rights between August 9, 2022 and the next status hearings on October 24, 2022, serves the "ends of justice" and outweighs the best interests of both the community and Defendant in a speedy trial, in light of the ongoing COVID-19 pandemic, <i>see</i> Standing Order no. 22-07 (BAH) (D.D.C. Feb. 15, 2022), and will allow the parties to review discovery and prepare for trial. Taking into account this continuance, the Court has calculated that Defendants new 70-day deadline is December 27, 2022. The Court finds that the 90-day deadline is inapplicable to Defendant, given that he has been released pending trial.</p> <p>Signed by Judge Colleen Kollar-Kotelly on August 10, 2022. (lcckk1) (Entered: 08/10/2022)</p>
10/14/2022	<u>113</u>	<p>SUPERSEDING INDICTMENT as to LAUREN HANDY (1) count(s) 1s, 2s, JONATHAN DARNEL (2) count(s) 1s, 2s, JAY SMITH (3) count(s) 1s, 2s, PAULA PAULETTE HARLOW (4) count(s) 1s, 2s, JEAN MARSHALL (5) count(s) 1s, 2s, JOHN HINSHAW (6) count(s) 1s, 2s, HEATHER IDONI (7) count(s) 1s, 2s, WILLIAM GOODMAN (8) count(s) 1s, 2s, JOAN BELL (9) count(s) 1s, 2s, HERB GERAGHTY (10) count(s) 1, 2. (zhsj) (Entered: 10/17/2022)</p>
10/24/2022		<p>MINUTE ORDER as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, AND HERB GERAGHTY. The Court held a status hearing in this case on October 24, 2022. With consent, Defendants Handy, Idoni, and Geraghty, were present via videoconference and represented by counsel. With</p>

		<p>consent, Defendant Goodman was present via videoconference, but counsel for Defendant Goodman failed to appear. Defendant Hinshaw also failed to appear. Counsel for Defendant Hinshaw initially appeared via videoconference, but the Court erroneously directed counsel for Defendant Hinshaw to attend a later hearing instead. The Court indicated that it would enter a bench warrant for Defendant Hinshaw and an order directing counsel for Defendant Goodman to show cause why he should not be held in contempt for failing to appear. The Court discussed the status of discovery and pretrial scheduling. The Court also set a trial date of August 9, 2023. Finally, the Court send another status hearing for December 22, 2022 at 9:00 AM ET, to proceed via videoconference.</p> <p>During the August 9, 2022 status hearing, the Court discussed with Defendants their Speedy Trial Act rights, and Defendants Handy, Idoni, Geraghty, and Goodman consented to a continuance of Speedy Trial rights until the date of the next status hearing. Accordingly, the Court finds that a continuance of Speedy Trial rights as to Defendants Handy, Idoni, Geraghty, and Goodman between October 24, 2022 and the next status hearings on December 22, 2022, serves the "ends of justice" and outweighs the best interests of both the community and will allow the parties to further review discovery and prepare for trial. Taking into account this continuance, the Court has calculated that Defendants new 70-day deadline is March 2, 2022. The Court finds that the 90-day deadline is inapplicable to Defendants, given that they have been released pending trial.</p> <p>Signed by Judge Colleen Kollar-Kotelly on October 24, 2022. (lcckk1) (Entered: 10/24/2022)</p>
10/24/2022		<p>Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) held on 10/24/2022. Excludable started as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10). Speedy Trial (XT) is tolled in the Interest of Justice from 10/24/2022 to 12/22/2022. Status Conference set for 12/22/2022 at 9:00 AM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Jury Trial set for 8/9/2023 at 9:00 AM in Courtroom 28A before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance, LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10); Court Reporter: Tammy Nestor; Defense Attorney: Dennis E. Boyle and Martin Cannon (1); Alfred Guillaume, III (6); Robert Dunn (7); Howard J. Walsh (8); and Anthony Martin; US Attorney: Elizabeth A. Aloï and Sanjay H. Patel. (dot) (Entered: 10/24/2022)</p>
10/24/2022		<p>Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Arraignment as to LAUREN HANDY (1) as to Count 1s,2s, JOHN HINSHAW (6) as to Count 1s,2s, HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s held on 10/24/2022. Plea of NOT GUILTY entered as to All Defendants on all Counts of the Superseding Indictment. Bond Status of Defendants: Personal Recognizance; Court Reporter: Tammy Nestor Defense Attorney: Dennis E. Boyle and Martin Cannon (1); Alfred Guillaume, III (6); Robert Dunn (7); Howard J. Walsh (8); US Attorney: Elizabeth A. Aloï and Sanjay H. Patel. (dot) (Entered: 10/24/2022)</p>
11/15/2022		

		MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of the Government's 133 Response to Defendant Geraghty's Motion to Modify the Conditions of Release. In addition to opposing Defendant Geraghty's 132 Motion, the Government also requests the Court modify the conditions of release as to all Defendants to limit contact among each defendant and one another. As such, each Defendant except for Defendant Geraghty may file a reply to the Government's request to modify <i>their</i> conditions of release on or before November 22, 2022 . Signed by Judge Colleen Kollar-Kotelly on November 15, 2022. (lcckk1) (Entered: 11/15/2022)
11/15/2022		Set/Reset Deadlines as to LAUREN HANDY (1), JONATHAN DARNEL (2), JAY SMITH (3), PAULA PAULETTE HARLOW (4), JEAN MARSHALL (5), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), JOAN BELL (9):reply to the Government's request to modify their conditions of release on or before 11/22/2022. (dot) (Entered: 11/17/2022)
11/22/2022	<u>138</u>	RESPONSE TO ORDER OF THE COURT by LAUREN HANDY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re Order., (Boyle, Dennis) (Entered: 11/22/2022)
11/30/2022	<u>141</u>	MOTION to Continue <i>Discovery Deadline</i> by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Attachments: # <u>1</u> Text of Proposed Order)(Aloi, Elizabeth) (Entered: 11/30/2022)
12/06/2022	<u>142</u>	ORDER granting 132 Motion to Modify Conditions of Release. Signed by Judge Colleen Kollar-Kotelly on December 6, 2022. (lcckk1) (Entered: 12/06/2022)
12/12/2022		MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of the Government's <u>141</u> Motion to Continue Discovery Deadline Pursuant to Rule 45(b), filed November 30, 2022. The Government represents that discovery is too large to transmit via USAFX and that it requires additional time to complete discovery productions via other means. The Government therefore requests that the Court extend the deadline for Rule 16 discovery from December 2, 2022 to January 20, 2023. As no Defendant has objected, and Defendants Darnel and Harlow affirmatively consent, the Government's <u>141</u> Motion to Continue Discovery Deadline Pursuant to Rule 45(b) is GRANTED <i>nunc pro tunc</i> upon good cause shown. The Government shall complete its Rule 16 productions on or before January 20, 2023. Also pending before the Court is Defendant Bell's 143 Unopposed Motion to Extend Motions Deadline, filed December 9, 2022. Defendant Bell requests that the Court extend the deadline for non-evidentiary pretrial motions and discovery motions from December 9, 2022 to January 27, 2023, to ensure she (and fellow defendants) have sufficient time to review discovery in advance of further dispositive motions practice. As the Government consents, and upon good cause shown, Defendant Bell's 143 Unopposed Motion to Extend Motions Deadline is GRANTED <i>nunc pro tunc</i> . Discovery motions and non-evidentiary pretrial motions shall be filed on or before January 27, 2023. Opposition(s) shall be filed on or before February 17, 2023, and replies shall be filed on or before February 24, 2023. The remaining deadlines in the Court's <u>104</u> Pretrial Scheduling Order stand. Signed by Judge Colleen Kollar-Kotelly on December 12, 2022. (lcckk1) Modified on 12/15/2022 to correct date. (dot). (Entered: 12/12/2022)

12/12/2022		Set/Reset Deadlines as to LAUREN HANDY (1), JONATHAN DARNEL (2), JAY SMITH (3), PAULA PAULETTE HARLOW (4), JEAN MARSHALL (5), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), JOAN BELL (9), HERB GERAGHTY (10): Discovery due by 1/20/2023. Motions due by 1/27/2023. Oppositions due by 2/17/2023. Replies due by 2/24/2023. (dot) (Entered: 12/15/2022)
12/14/2022		MINUTE ORDER as to WILLIAM GOODMAN: Before the Court is Defendant Goodman's 144 Unopposed Motion to Continue Discovery Motions, filed December 12, 2022. Approximately thirty minutes before Defendant Goodman's motion was filed, the Court granted the same relief Defendant requests in his motion to all Defendants. As such, Defendant Goodman's 144 Unopposed Motion to Continue Discovery Motions is DENIED AS MOOT . Signed by Judge Colleen Kollar-Kotelly on December 14, 2022. (lcckk1) (Entered: 12/14/2022)
12/22/2022	<u>154</u>	AMENDED PRETRIAL SCHEDULING ORDER incorporating prior extensions and <i>sua sponte</i> extended other deadlines. Signed by Judge Colleen Kollar-Kotelly on December 21, 2022. (lcckk1) (Main Document 154 replaced on 1/3/2023) (zdot). (Entered: 12/22/2022)
12/22/2022		Minute Entry for videoconference proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to LAUREN HANDY(1), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), HERB GERAGHTY(10) held on 12/22/2022. Excludable started as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, HERB GERAGHTY. Speedy Trial (XT) is tolled in the Interest of Justice from 12/22/2022 to 3/3/2022 as to Defendants 1, 6, 7, 8, 10. Status Conference set for 3/3/2023 at 3:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Status Conference set for 5/25/2023 at 3:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Status Conference set for 7/28/2023 at 3:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Pretrial Conference set for 8/8/2023 at 10:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Jury Trial set for 8/9/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance as to Defendants 1, 6, 7, 8 10; Court Reporter: Tammy Nestor; Defense Attorney: Martin A. Cannon (1); Alfred Guillaume, III (6); Robert Dunn (7); Howard J. Walsh, III (8); Anthony D. Martin (10); US Attorney: Sanjay H. Patel. (dot) (Entered: 12/23/2022)
01/05/2023		<p>MINUTE ORDER as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, AND HERB GERAGHTY. The Court held a status hearing in this case on December 12, 2022. With consent, all Defendants were present via videoconference and represented by counsel. Each Defendant agreed to proceed remotely. The Court discussed the status of discovery and pretrial scheduling. The Court also set status conferences for: (1) March 3, 2023 at 3:00 PM ET, via videoconference; (2) May 25, 2023 at 3:00 PM ET; and (3) July 28, 2023 at 3:00 PM ET. Finally, the Court set a pretrial conference for August 8, 2023 at 10:00 AM ET in Courtroom 28–A. Defendants consented to the next status conference proceeding remotely. Trial remains set for August 9, 2023.</p> <p>During the December 12, 2022 status hearing, the Court discussed with Defendants their Speedy Trial Act rights, and Defendants consented to a continuance of Speedy Trial rights until the date of the next status hearing. Accordingly, the Court finds that a continuance of Defendants Speedy Trial rights between December 12, 2022 and the</p>

		<p>next status hearing on March 3, 2023, serves the "ends of justice" and outweighs the best interests of both the community and will allow the parties to further review discovery and prepare for trial. Taking into account this continuance, the Court has calculated that Defendants new 70-day deadline is May 12, 2023. The Court finds that the 90-day deadline is inapplicable to Defendants, given that they have been released pending trial.</p> <p>Signed by Judge Colleen Kollar-Kotelly on January 5, 2023. (lcckk1) (Entered: 01/05/2023)</p>
01/20/2023	<u>158</u>	<p>NOTICE of Discovery Status by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Aloi, Elizabeth) (Entered: 01/20/2023)</p>
01/22/2023		<p>MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of the Government's <u>158</u> Notice, filed January 20, 2023. The Government represents that it has attempted to complete discovery productions by requesting hard drives from counsel for each Defendant, but only some have complied with the Government's request. The deadline for discovery applies to all parties, and all parties must make every effort to comply with that deadline. As such, of the Defendants who have yet to comply with the Government's request, counsel for these Defendants shall do so forthwith. If cost is an issue, counsel shall make the requisite request of the Court forthwith. Signed by Judge Colleen Kollar-Kotelly on January 22, 2023. (lcckk1) (Entered: 01/22/2023)</p>
01/27/2023	<u>159</u>	<p>MOTION to Dismiss Count by LAUREN HANDY, JONATHAN DARNEL. (Attachments: # <u>1</u> Text of Proposed Order) (Boyle, Dennis) Modified on 1/30/2023 (zhsj). Modified on 1/30/2023 (zhsj). (Entered: 01/27/2023)</p>
01/30/2023		<p>RESOLVED...NOTICE of Provisional/Government Not Certified Status re 162 MOTION for Joinder to Defendant Handy's Mtn (ECF 159) by HERB GERAGHTY. (Martin, Anthony).</p> <p>Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-renewal.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 2/6/2023. (zbaj) Modified on 2/1/2023 (zbaj). (Entered: 01/30/2023)</p>
02/06/2023	<u>167</u>	<p>ORDER as to ALL DEFENDANTS <i>sua sponte</i> extending briefing deadlines for non-evidentiary pretrial motions, expanding scope of briefing, and waiving page limits. In addition to any other issues the parties may seek to address, the parties shall address (1) whether the holdings of <i>Dobbs v. Jackson Women's Health Org.</i>, 142 S. Ct. 2228 (2022) are limited to the Fourteenth Amendment and (2) whether the Thirteenth Amendment confers a right to abortion to some extent as an original matter. The parties shall continue to address the current crux of this case, the scope of the statutes charged. Government's response due on or before March 3, 2023 and</p>

		Defendants' reply due on or before March 17, 2023 . See Order for details. Signed by Judge Colleen Kollar-Kotelly on February 6, 2023. (lcckk1) (Entered: 02/06/2023)
02/06/2023		Set/Reset Deadlines as to LAUREN HANDY(1), JONATHAN DARNEL(2), JAY SMITH(3), PAULA PAULETTE HARLOW(4), JEAN MARSHALL(5), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), JOAN BELL(9), HERB GERAGHTY(10): Government's Response due by 3/3/202. Defendants' Reply due by 3/17/2023. (dot) (Entered: 02/08/2023)
02/09/2023		MINUTE ORDER as to LAUREN HANDY (1): The Court is in receipt of Pretrial Services' <u>168</u> Pretrial Violation Report, alleging that Defendant Handy is noncompliant with her conditions of release. In consideration thereof, a show cause hearing is set for February 21, 2023 at 11:00 AM ET in Courtroom 28–A. To the extent necessary, the Court will permit counsel Cannon to appear remotely, although it expects representations to be made exclusively by counsel attending in person. To the extent either party intends to call witnesses to present testimony, witness(es) shall also appear in–person, and witness lists (if necessary) shall be provided to Chambers no later than February 17, 2023 at 12:00 PM ET . Signed by Judge Colleen Kollar–Kotelly on February 9, 2023. (lcckk1) (Entered: 02/09/2023)
02/09/2023		Set/Reset Hearings as to LAUREN HANDY: Show Cause Hearing set for 2/21/2023 at 11:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar–Kotelly. (dot) (Entered: 02/09/2023)
02/21/2023		Minute Entry for proceedings held before Judge Colleen Kollar–Kotelly:Show Cause Hearing as to LAUREN HANDY (1) held on 2/21/2023. Order forthcoming. Bond Status of Defendant: Personal Recognizance; Court Reporter: Lisa Edwards; Defense Attorney: Dennis E. Boyle, Martin A. Cannon and Blerina Jasari; US Attorney: Elizabeth A. Aloï, Sanjay H. Patel and John Crabb; Pretrial Officer: Katrina Stanford. (dot) (Entered: 02/21/2023)
02/21/2023	<u>171</u>	ORDER as to LAUREN HANDY (1) modifying conditions of release. Signed by Judge Colleen Kollar–Kotelly on 2/21/23. (lcckk3) (Entered: 02/21/2023)
03/01/2023	<u>174</u>	NOTICE OF ATTORNEY APPEARANCE John Crabb, Jr appearing for USA. (Crabb, John) (Entered: 03/01/2023)
03/03/2023	<u>189</u>	RESPONSE by USA as to LAUREN HANDY re <u>159</u> MOTION to Dismiss Count <i>One and Count Two</i> , Memorandum in Opposition by USA as to LAUREN HANDY re <u>159</u> Motion to dismiss count(s) <i>One and Two</i> (Patel, Sanjay) (Entered: 03/03/2023)
03/03/2023		Minute Entry for videoconference proceedings held before Judge Colleen Kollar–Kotelly: Status Conference as to LAUREN HANDY(1), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), HERB GERAGHTY(10) held on 3/3/2023. Excludable started as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN. Speedy Trial (XT) is tolled in the Interest of Justice from 3/3/2023. HERB GERAGHTY(10) to Show Cause why Speedy Trail is not tolled.Status Conference set for 5/25/2023 at 3:00 PM via Telephonic/VTC before Judge Colleen Kollar–Kotelly. Bond Status of Defendants: Personal Recognizance; Court Reporter: Stacy Scull; Defense Attorney: Dennis E. Boyle, Martin A. Cannon and Bierina Jasari (1); Alfred Guillaume, III (6); Robert J. Dunn (7); Howard J. Walsh, III (8); and John C. Kiyonaga (10); US Attorney: Elizabeth A. Aloï and Sanjay H. Patel. (dot) (Entered: 03/03/2023)
03/05/2023		

		<p>MINUTE ORDER as to LAUREN HANDY(1), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), AND HERB GERAGHTY(10). The Court held a status hearing in this case on March 3, 2023. With consent, all Defendants but Defendant Hinshaw were present via videoconference and represented by counsel. Defendant Hinshaw appeared by phone and was represented by counsel, who appeared via videoconference. Each Defendant agreed to proceed remotely. The parties discussed the status of discovery and pretrial scheduling. Additionally, the Government placed plea offers on the record, all of which now remain open. The Court also explained that any requests for any particular jury instruction should be filed no earlier than July 7, 2023, the current deadline for proposed <i>voir dire</i> and jury instructions. The next status conference remains set for May 25, 2023 at 3:00 PM ET via Zoom and trial remains set for August 9, 2023.</p> <p>During the March 3, 2023 status hearing, the Court discussed with Defendants their Speedy Trial Act rights, and Defendants Handy, Idoni, Goodman, and Geraghty themselves and Defendant Hinshaw through counsel consented to a continuance of Speedy Trial rights until the date of the next status hearing. Accordingly, the Court finds that a continuance of Defendants Speedy Trial rights between March 3, 2023 and the next status hearing on May 25, 2023, serves the "ends of justice" and outweighs the best interests of both the community and will allow the parties to further review discovery and prepare for trial. Taking into account this continuance, the Court has calculated that Defendants new 70-day deadline is August 3, 2023. The Court finds that the 90-day deadline is inapplicable to Defendants, given that they have been released pending trial. Counsel for Defendant Hinshaw shall file a written Speedy Trial waiver signed by Defendant Hinshaw himself on or before March 7, 2023.</p> <p>Counsel for Defendant Geraghty insisted that he was prepared to proceed to trial immediately and therefore did not consent to toll Speedy Trial time. As such, Defendant Geraghty shall SHOW CAUSE on or before March 10, 2023 why the Court should not <i>sua sponte</i> toll Speedy Trial time from March 3, 2023 to May 25, 2023 pursuant to 18 U.S.C. sections 3161(h)(1)(D), (h)(7)(A), and/or (h)(7)(B)(iv).</p> <p>Signed by Judge Colleen Kollar-Kotelly on March 5, 2023. (lcckk1) (Entered: 03/05/2023)</p>
03/15/2023	<u>195</u>	<p>MOTION to Amend/Correct <u>154</u> Order <i>Amended Pretrial Scheduling Order</i> by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Patel, Sanjay) (Entered: 03/15/2023)</p>
03/17/2023		<p>MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of the Government's <u>195</u> Motion to Correct the Amended Pretrial Scheduling Order. The Government notes that the Order currently requires the Government to file its 404(b) notice on or before April 14, 2023, falling after the deadline for the Government's evidentiary motions, March 24, 2023. The Government therefore proposes that the Government's 404(b) notice be due March 24, 2023, with the Government's evidentiary pretrial motions be due April 7, 2023, with applicable defendants' opposition due April 21, 2023, and any reply due April 28, 2023. Upon consideration thereof, and in light of the extensions granted to Defendants Bell and Goodman, the Government's <u>195</u> Motion to Correct the Amended Pretrial Scheduling Order is</p>

		GRANTED. The parties shall adhere to the Government's proposed dates. A second amended scheduling order will issue. Signed by Judge Colleen Kollar-Kotelly on March 17, 2023. (lcckk1) (Entered: 03/17/2023)
03/17/2023	<u>197</u>	REPLY in Support by LAUREN HANDY re <u>159</u> MOTION to Dismiss Count (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Boyle, Dennis) (Entered: 03/17/2023)
03/17/2023	<u>198</u>	ENTERED IN ERROR.....SUPPLEMENT by LAUREN HANDY re <u>197</u> Reply in Support (Boyle, Dennis) Modified on 3/20/2023 (zhsj). (Entered: 03/17/2023)
03/17/2023		NOTICE OF ERROR as to LAUREN HANDY regarding <u>198</u> Supplement to any document. The following error(s) need correction: Incorrect format (Letter)–correspondence is not permitted (LCrR 49(f)(4)). Please refile. (zhsj) (Entered: 03/20/2023)
03/21/2023	<u>203</u>	NOTICE of Filing by LAUREN HANDY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re <u>197</u> Reply in Support (Attachments: # <u>1</u> Exhibit)(Boyle, Dennis) (Entered: 03/21/2023)
03/24/2023	<u>205</u>	NOTICE FRE 404(b) by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Attachments: # <u>1</u> Notice to Counsel/Party FRE 404(b) notice)(Patel, Sanjay) (Entered: 03/24/2023)
04/07/2023	<u>206</u>	MOTION for 404(b) Evidence by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Patel, Sanjay) (Entered: 04/07/2023)
04/14/2023	<u>209</u>	RESPONSE by LAUREN HANDY re <u>206</u> MOTION for 404(b) Evidence (Boyle, Dennis) (Entered: 04/14/2023)
04/28/2023	<u>214</u>	REPLY in Support by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re <u>206</u> MOTION for 404(b) Evidence (Crabb, John) (Entered: 04/28/2023)
05/25/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) held on 5/25/2023. Excludable started as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10). Speedy Trial (XT) is tolled in the Interest of Justice from 5/25/2023 to 7/28/2023. Status Conference set for 7/28/2023 at 3:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance; Court Reporter: Christine Asif; Defense Attorney: Martin A. Cannon and Dennis Boyle (1), Alfred Guillaume, III (6), Robert Dunn (7), Howard J. Walsh, III (8) and Marcus Massey (standing in) (10); US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 05/26/2023)
05/26/2023	<u>235</u>	

		REPLY TO OPPOSITION to Motion by HERB GERAGHTY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re 215 MOTION to Dismiss Case by <i>Heather Idoni</i> (Kiyonaga, John) (Entered: 05/26/2023)
06/02/2023	<u>248</u>	MOTION in Limine <i>omnibus motion in limine</i> by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Patel, Sanjay) (Entered: 06/02/2023)
06/14/2023	<u>253</u>	NOTICE by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Crabb, John) (Entered: 06/14/2023)
06/16/2023	<u>256</u>	MOTION for Extension of Time to File Response/Reply to <i>Government's Motion in Limine</i> by LAUREN HANDY. (Attachments: # <u>1</u> Text of Proposed Order)(Boyle, Dennis) (Entered: 06/16/2023)
06/19/2023		<p>MINUTE ORDER as to LAUREN HANDY (1), WILLIAM GOODMAN (8), and JOAN BELL (9): The Court is in receipt of Defendant Handy's <u>256</u> Motion for Enlargement of Time, filed June 16, 2023, joined by Defendants Goodman and Bell. Counsel for Defendant Handy represents that they require further time to conduct additional legal research to respond to the Government's <u>248</u> Omnibus Motion in Limine. Defendants together request an extension of time, from June 16, 2023 to June 23, 2023, to file their opposition(s). Over the Government's opposition, the <u>256</u> Motion for Enlargement of Time is GRANTED nunc pro tunc. Defendants shall file their opposition(s) on or before June 23, 2023. The Government shall file its reply on or before June 30, 2023. The Court will not grant any further extensions.</p> <p>The Court notes that no other Defendant has filed an opposition to the <u>248</u> Omnibus Motion in Limine. The deadline for oppositions having passed, the remaining Defendants must first move to leave to late file if they intend to file an opposition.</p> <p>Signed by Judge Colleen Kollar-Kotelly on June 19, 2023. (lckk1) (Entered: 06/19/2023)</p>
06/20/2023		Set/Reset Deadlines as to LAUREN HANDY (1), WILLIAM GOODMAN (8), JOAN BELL (9): Defendants' opposition due by 6/23/2023. Government's reply due by 6/30/2023. (hmc) (Entered: 06/20/2023)
06/23/2023	<u>259</u>	RESPONSE by LAUREN HANDY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re <u>248</u> MOTION in Limine <i>omnibus motion in limine</i> (Boyle, Dennis) (Entered: 06/23/2023)
06/27/2023	<u>265</u>	NOTICE OF ATTORNEY APPEARANCE Rebecca G. Ross appearing for USA. (Ross, Rebecca) (Entered: 06/27/2023)
06/29/2023	<u>266</u>	REPLY in Support by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re <u>248</u> MOTION in Limine <i>omnibus motion in limine</i> (Crabb, John) (Entered: 06/29/2023)

		06/29/2023)
07/07/2023	<u>269</u>	Proposed Voir Dire by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Crabb, John) (Entered: 07/07/2023)
07/07/2023	<u>270</u>	Proposed Jury Instructions by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Crabb, John) (Entered: 07/07/2023)
07/07/2023	<u>271</u>	ENTERED IN ERROR.....DECLARATION <i>Proof of Service</i> by LAUREN HANDY. (Attachments: # <u>1</u> Declaration Subpoena) (Boyle, Dennis) Modified on 7/11/2023 (zhsj). Modified on 7/11/2023 (zhsj). (Entered: 07/07/2023)
07/07/2023	<u>272</u>	ENTERED IN ERROR.....DECLARATION <i>Proof of Service</i> by LAUREN HANDY (Attachments: # <u>1</u> Subpoena)(Boyle, Dennis) Modified on 7/11/2023 (zhsj). (Entered: 07/07/2023)
07/07/2023	<u>273</u>	ENTERED IN ERROR.....DECLARATION <i>Proof of Service</i> by LAUREN HANDY (Attachments: # <u>1</u> Subpoena)(Boyle, Dennis) Modified on 7/11/2023 (zhsj). (Entered: 07/07/2023)
07/07/2023		MINUTE ORDER as to LAUREN HANDY(1), JONATHAN DARNEL(2), PAULA PAULETTE HARLOW(4), JEAN MARSHALL(5), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), JOAN BELL(9), HERB GERAGHTY(10): Due to a scheduling conflict with a criminal trial, the status hearings set for July 28, 2023 at 3:00 PM ET and 3:30 PM ET are CONTINUED to July 28, 2023 at 4:00 PM ET and July 28, 2023 at 4:30 PM ET , respectively. Both hearings shall be by Zoom. Signed by Judge Colleen Kollar-Kotelly on July 7, 2023. (lcckk1) (Entered: 07/07/2023)
07/07/2023	<u>274</u>	WITNESS LIST by LAUREN HANDY (Boyle, Dennis) (Entered: 07/07/2023)
07/07/2023	<u>275</u>	EXHIBIT LIST by LAUREN HANDY (Boyle, Dennis) (Entered: 07/07/2023)
07/07/2023	<u>277</u>	Proposed Jury Instructions by LAUREN HANDY (Boyle, Dennis) (Entered: 07/07/2023)
07/07/2023	<u>278</u>	MOTION to Continue by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Attachments: # <u>1</u> Text of Proposed Order) (Crabb, John) Modified Event on 7/11/2023 (zhsj). (Entered: 07/07/2023)
07/07/2023	<u>280</u>	Proposed Voir Dire by LAUREN HANDY. (Cannon, Martin) Modified on 7/11/2023 (zhsj). (Entered: 07/07/2023)
07/07/2023	<u>281</u>	NOTICE of Joinder by HERB GERAGHTY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Kiyonaga, John) (Entered: 07/07/2023)
07/07/2023		Set/Reset Hearings as to LAUREN HANDY(1), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), HERB GERAGHTY(10): Status Conference

		set for 7/28/2023 at 4:00 PM via Telephonic/VTC before Judge Colleen Kollar-Kotelly. (dot) (Entered: 07/09/2023)
07/11/2023	<u>286</u>	NOTICE of Supplemental Authority by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Attachments: # <u>1</u> Exhibit A)(Ross, Rebecca) (Entered: 07/11/2023)
07/11/2023	<u>287</u>	EXHIBIT LIST by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Attachments: # <u>1</u> exhibit list)(Crabb, John) (Entered: 07/11/2023)
07/13/2023		MINUTE ORDER. The Court is in receipt of the <u>278</u> Motion to Continue, in which Government requests additional time to submit its exhibit list. Given that the Government has since submitted its exhibit list, <i>see</i> ECF No. <u>287</u> , the Court DENIES AS MOOT the <u>278</u> Motion. Signed by Judge Colleen Kollar-Kotelly on 7/13/23. (lcckk3) (Entered: 07/13/2023)
07/14/2023		MINUTE ORDER. The Court is in receipt of Defendant HEATHER IDONI's 288 Proposed Jury Instruction on Defense of a Third Person and ORDERS the Government to file a response by no later than JULY 20, 2023. Signed by Judge Colleen Kollar-Kotelly on 7/14/23. (lcckk3) (Entered: 07/14/2023)
07/14/2023	<u>289</u>	STATUS REPORT by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Crabb, John) (Entered: 07/14/2023)
07/20/2023	<u>295</u>	MOTION to Continue by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Attachments: # <u>1</u> Text of Proposed Order)(Crabb, John) (Entered: 07/20/2023)
07/20/2023		MINUTE ORDER as to LAUREN HANDY (1): In her <u>197</u> reply in support of her <u>159</u> Motion to Dismiss, Defendant argues, among other things, that Count Two cannot be sustained because "there is no longer (and never was) a federal civil right to unimpeded access to reproductive health care facilities[.]" <i>Id.</i> at 25 (emphasis omitted). In essence, Defendant maintains that <i>Dobbs v. Jackson Women's Health Org.</i> , 142 S. Ct. 2228 (2022) retroactively applies to conduct that might otherwise have been proscribed by 18 U.S.C. 241 at the time of the conduct charged in the operative indictment. Because this argument was only first developed (albeit partially) in reply, the Government shall file a surreply on or before July 24, 2023 addressing retroactive application of <i>Dobbs</i> as to 18 U.S.C. 241. The Government having already argued that the FACE Act is a "law" within the meaning of section 231, the Government should address only the question posed herein. Signed by Judge Colleen Kollar-Kotelly on July 20, 2023. (lcckk1) (Entered: 07/20/2023)
07/24/2023		MINUTE ORDER as to LAUREN HANDY (1): The Court has reviewed Defendant's <u>275</u> Exhibit List. On or before July 26, 2023 , Defendant shall provide copies of her proposed exhibits to Chambers for the Court's <i>in camera</i> review. Additionally, if the Government objects to any of these exhibits, they shall file a motion <i>in limine</i> on or before July 28, 2023 . Signed by Judge Colleen Kollar-Kotelly on July 24, 2023.

		(lcckk1) (Entered: 07/24/2023)
07/24/2023	<u>300</u>	SURREPLY Memorandum in Opposition by USA as to LAUREN HANDY re <u>159</u> Motion to dismiss count(s) <i>surreply by USA</i> (Patel, Sanjay) Modified on 7/25/2023 (zhsj). (Entered: 07/24/2023)
07/24/2023	<u>301</u>	RESPONSE TO ORDER OF THE COURT by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re Order, Order on Motion to Continue,, <i>USA objection to defendants' requested jury instructions on defenses, and USA motion in limine to preclude evidence of those defenses at trial</i> (Attachments: # <u>1</u> Exhibit A)(Patel, Sanjay) (Entered: 07/24/2023)
07/25/2023	<u>306</u>	ORDER denying <u>159</u> Motion to Dismiss. Signed by Judge Colleen Kollar-Kotelly on July 25, 2023. (lcckk1) (Entered: 07/25/2023)
07/25/2023	<u>307</u>	MEMORANDUM OPINION re <u>306</u> Order. Signed by Judge Colleen Kollar-Kotelly on July 25, 2023. (lcckk1) (Entered: 07/25/2023)
07/26/2023	<u>316</u>	MOTION in Limine by USA as to LAUREN HANDY. (Attachments: # <u>1</u> Text of Proposed Order) (Crabb, John) Modified Text to Exclude Wrong Defendants on 8/2/2023 (zhsj). (Entered: 07/26/2023)
07/27/2023		MINUTE ORDER as to LAUREN HANDY (1): The Court is in receipt of the Government's <u>316</u> Motion to Exclude Certain Defense Exhibits. Defendant may file an opposition on or before July 31, 2023 . Additionally, because counsel for Defendant represented to Chambers that he would convey a copy of the exhibits at issue to Chambers via overnight mail by the end of the day on July 26, 2023, the Court extends the deadline for submission from July 26, 2023 to July 28, 2023 . Signed by Judge Colleen Kollar-Kotelly on July 27, 2023. (lcckk1) (Entered: 07/27/2023)
07/27/2023		Set/Reset Deadlines as to LAUREN HANDY (1): Defendant may file an opposition to <u>316</u> on or before 7/31/2023. (dot) (Entered: 07/28/2023)
07/28/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Status Conference as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) held on 7/28/2023. Excludable started as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, HERB GERAGHTY. Speedy Trial (XT) is tolled in the Interest of Justice from 7/28/2023 to 8/8/2023. Bond Status of Defendants: Personal Recognizance, as to All Defendants; Court Reporter: Tammy Nestor; Defense Attorney: 1-Martin A. Cannon, Blerina Jasari; 6-Alfred Guillaume, III; 7-Robert J. Dunn; 8-Howard J. Walsh, III; 10-John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 07/31/2023)
07/31/2023	<u>319</u>	RESPONSE by LAUREN HANDY re <u>316</u> MOTION in Limine (Boyle, Dennis) (Entered: 07/31/2023)
08/01/2023	<u>320</u>	TRIAL PROCEDURES ORDER. Signed by Judge Colleen Kollar-Kotelly on August 1, 2023. (lcckk1) (Entered: 08/01/2023)
08/01/2023	<u>321</u>	COVID PROCEDURES ORDER. Signed by Judge Colleen Kollar-Kotelly on August 1, 2023. (lcckk1) (Entered: 08/01/2023)

08/01/2023	<u>322</u>	MEMORANDUM OPINION AND ORDER granting in part and denying in part <u>206</u> Motion to Admit Rule 404(b) Evidence of Other Acts. See Memorandum Opinion and Order for details. Signed by Judge Colleen Kollar-Kotelly on August 1, 2023. (lcckk1) (Entered: 08/01/2023)
08/01/2023	<u>324</u>	REPLY TO OPPOSITION to Motion by USA as to LAUREN HANDY re <u>316</u> MOTION in Limine. (Crabb, John) Modified Text to Remove Wrong Defendants on 8/2/2023 (zhsj). (Entered: 08/01/2023)
08/01/2023	<u>325</u>	TRIAL BRIEF by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Ross, Rebecca) (Entered: 08/01/2023)
08/02/2023		MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of the Government's <u>327</u> Amended Witness List. The Government proposes calling as many as four witnesses for one 404(b) incident. As the Court explained in its <u>322</u> Memorandum Opinion and Order, the probative value of lengthy testimony and a large number of witnesses as to conduct not charged in the operative indictment is substantially outweighed by prejudice to Defendants and the risk of sending the trial off track. To that end, the Government shall file a notice on or before August 3, 2023 explaining whether it can present all evidence as to each incident through one witness each, and if not, why not. Additionally, the Court notes that evidence as to the following 404(b) incidents may be admissible at trial: (1) the March 19, 2019 incident involving Defendant Handy; (2) the January 30, 2021 incident involving Defendants Handy and Darnel; (3) the November 16, 2021 incident involving Defendants Handy, Darnel, and Bell; and (4) the October 14, 2020 incident involving Defendants Goodman and Bell. Signed by Judge Colleen Kollar-Kotelly on August 2, 2023. (lcckk1) (Entered: 08/02/2023)
08/02/2023	<u>329</u>	ORDER granting <u>248</u> Motion in Limine as to ALL DEFENDANTS. See Order for details. Signed by Judge Colleen Kollar-Kotelly on August 2, 2023. (lcckk1) (Entered: 08/02/2023)
08/02/2023	<u>330</u>	MOTION for Leave to Appear Pro Hac Vice Stephen Crampton Filing fee \$ 100, receipt number ADCDC-10249283. Fee Status: Fee Paid. by LAUREN HANDY. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit)(Jasari, Blerina) (Entered: 08/02/2023)
08/02/2023		MINUTE ORDER as to LAUREN HANDY (1) granting <u>330</u> Motion for Leave to Appear Pro Hac Vice as to Stephen Crampton conditional upon counsel Crampton filing a notice on or before August 7, 2023 confirming that he has reviewed the Local Rules of this jurisdiction. Counsel shall register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.1 forthwith Click for instructions . Signed by Judge Colleen Kollar-Kotelly on August 2, 2023. (lcckk1) (Entered: 08/02/2023)
08/02/2023		Set/Reset Deadlines as to LAUREN HANDY (1), JONATHAN DARNEL (2), JAY SMITH (3), PAULA PAULETTE HARLOW (4), JEAN MARSHALL (5), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), JOAN BELL (9), HERB GERAGHTY (10): Government shall file a notice on or before August 3, 2023 explaining whether it can present all evidence as to each incident through one witness each, and if not, why not. (dot) (Entered: 08/03/2023)
08/03/2023		RESOLVED...NOTICE of Provisional/Government Not Certified Status re <u>330</u> MOTION for Leave to Appear Pro Hac Vice Stephen Crampton Filing fee \$ 100,

		<p>receipt number ADCDC-10249283. Fee Status: Fee Paid. by LAUREN HANDY. (Attachments: # 1 Declaration, # 2 Exhibit)(Jasari, Blerina).</p> <p>Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Criminal Rule 57.21.1, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-renewal.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 8/10/2023. (zmrl) Modified on 8/16/2023 (zmrl). (Entered: 08/03/2023)</p>
08/03/2023	<u>331</u>	NOTICE <i>regarding presentation of Rule 404(b) evidence</i> by USA as to LAUREN HANDY, JONATHAN DARNEL, WILLIAM GOODMAN, JOAN BELL re Order,,, (Patel, Sanjay) (Entered: 08/03/2023)
08/03/2023	<u>333</u>	ORDER granting in part and holding in abeyance in part <u>316</u> Motion in Limine as to LAUREN HANDY (1). Government surreply and more detailed defense proffer due on or before August 5, 2023 at 12:00 PM ET . See Order for details. Signed by Judge Colleen Kollar-Kotelly on August 3, 2023. (lcckk1) (Entered: 08/03/2023)
08/03/2023		Set/Reset Deadlines as to LAUREN HANDY (1): Government surreply and more detailed defense proffer due on or before 8/5/2023 at 12:00 PM. (dot) (Entered: 08/04/2023)
08/04/2023	<u>336</u>	MOTION to Compel <i>Disclosure of Government Trial Exhibits</i> by HERB GERAGHTY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Attachments: # <u>1</u> Exhibit Counsel Correspondence with Government)(Kiyonaga, John) (Entered: 08/04/2023)
08/04/2023	<u>335</u>	NOTICE OF STATUS UPDATE REGARDING STIPULATIONS by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Attachments: # <u>1</u> Exhibit A) (zhsj) (Entered: 08/04/2023)
08/05/2023	<u>341</u>	ENTERED IN ERROR.....RESPONSE TO ORDER OF THE COURT by LAUREN HANDY re <u>333</u> Order on Motion in Limine, (Boyle, Dennis) Modified on 8/7/2023 (zhsj). (Entered: 08/05/2023)
08/05/2023	<u>342</u>	RESPONSE TO ORDER OF THE COURT by LAUREN HANDY re <u>333</u> Order on Motion in Limine, <i>Corrected</i> (Attachments: # <u>1</u> Exhibit)(Boyle, Dennis) (Entered: 08/05/2023)
08/05/2023		NOTICE OF ERROR as to LAUREN HANDY regarding <u>341</u> Response to Order of the Court. The following error(s) need correction: Docket Entry <u>342</u> is the correct docket entry. (zhsj) (Entered: 08/07/2023)
08/07/2023	<u>344</u>	DECLARATION of <i>Stephen M. Crompton</i> by LAUREN HANDY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM

		GOODMAN, JOAN BELL, HERB GERAGHTY <u>330</u> MOTION for Leave to Appear Pro Hac Vice Stephen Crampton Filing fee \$ 100, receipt number ADCDC-10249283. Fee Status: Fee Paid. filed by LAUREN HANDY (Boyle, Dennis) (Entered: 08/07/2023)
08/07/2023	<u>346</u>	WITNESS LIST by LAUREN HANDY (Boyle, Dennis) (Entered: 08/07/2023)
08/07/2023	<u>347</u>	NOTICE <i>pursuant to FRE 902(11) of intent to introduce business documents</i> by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Patel, Sanjay) (Entered: 08/07/2023)
08/07/2023	<u>351</u>	NOTICE OF ATTORNEY APPEARANCE: Stephen M. Crampton appearing for LAUREN HANDY (Crampton, Stephen) (Entered: 08/07/2023)
08/07/2023	<u>353</u>	ORDER as ALL DEFENDANTS precluding necessity and defense of third person defenses. Signed by Judge Colleen Kollar-Kotelly on August 7, 2023. (lcckk1) (Entered: 08/07/2023)
08/07/2023	<u>357</u>	NOTICE of Objection (Corrected) by HERB GERAGHTY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re <u>321</u> Order (Kiyonaga, John) (Entered: 08/07/2023)
08/08/2023	<u>358</u>	ORDER as to ALL DEFENDANTS permitting Government witnesses to testify under pseudonym. Signed by Judge Colleen Kollar-Kotelly on August 8, 2023. (lcckk1) (Entered: 08/08/2023)
08/08/2023		<p>MINUTE ORDER as to ALL DEFENDANTS: The Court is in receipt of Defendant Handy's (1) <u>342</u> Further Foundation for Pamphlet and Video. Per the Court's <u>333</u> Order, the Court has held in abeyance the Government's <i>in limine</i> objection to these two defense exhibits. Although, as the Court noted, these two exhibits present substantial risks of prejudice and confusion pursuant to Federal Rule of Evidence 403, their probative value remains uncertain without Defendant Handy's testimony. Therefore, the objections shall remain HELD IN ABEYANCE pending any testimony by Defendant Handy during her case in chief, should one be presented.</p> <p>That said, and in light of the Court's <u>353</u> Order precluding necessity and defense of third person defenses, the Court reiterates that Defendants shall not present any evidence and argument furthering such defenses. Additionally, upon further review of the outstanding exhibits to determine their relevance pursuant to Federal Rules of Evidence 401 and 402, the Court cannot make the preliminary determination pursuant to Federal Rule of Evidence 104(b) that the Washington Surgi-Clinic was engaged in unlawful conduct. The proffered exhibits offer absolutely no basis for such a conclusion. Therefore, and in accordance with the Court's <u>353</u> Order, Defendants shall not argue that, as a factual matter, that the Washington Surgi-Clinic was engaged in the unlawful conduct alleged in Defendant Handy's pamphlet. That said, the Court reiterates its holding from its <u>333</u> Order that Defendant Handy (and other Defendants, should they present a case) may argue that they lacked the requisite intent based on a belief (evidently erroneous) that the Washington Surgi-Clinic was engaged in unlawful conduct.</p>

		Signed by Judge Colleen Kollar-Kotelly on August 8, 2023. (lcckk1) (Entered: 08/08/2023)
08/08/2023		MINUTE ORDER as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), AND HERB GERAGHTY (10). The Court held a pretrial conference in this matter on August 8, 2023. Among other things, Defendants requested that the Court grant Defendants additional peremptory strikes. In response, the Government asked that the Court grant the Government additional peremptory strikes in proportion to any additional peremptory strikes extended to Defendants. The Government correctly noted that, pursuant to Federal Rule of Criminal Procedure 24(b)(2), the default is to grant the Government 6 peremptory strikes and a defendant 10 peremptory strikes. However, the Court may, in its discretion, "allow additional peremptory challenges to multiple defendants[.]" so long as the Government is not unduly prejudiced. <i>See</i> Fed. R. Crim. P. 24(b); <i>United States v. Haldeman</i> , 599 F.2d 31, 79 (D.C. Cir. 1976) (holding that trial court did not abuse discretion in awarding defendants additional peremptory strikes in light of substantial pretrial publicity). In light of the number of defendants in this upcoming trial and the politically and socially charged nature of some of the allegations in this case, the Court agrees that an additional peremptory strike per defendant is warranted, and no additional Government peremptory strikes are needed. Therefore, the Court will allow one additional peremptory strike for each Defendant, resulting in a total of fifteen peremptory strikes for all Defendants which can be exercised jointly or each Defendant can exercise three. Signed by Judge Colleen Kollar-Kotelly on August 8, 2023. (lcckk1) (Entered: 08/08/2023)
08/08/2023		MINUTE ORDER as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10). The Court held a pretrial conference in this matter on August 8, 2023. All parties were present in person, except for counsel for Defendant Idoni (7), who appeared via teleconference. The Court discussed, among other things, voir dire, the <u>320</u> Trial Procedures Order, and the <u>321</u> COVID Procedures Order. The parties shall appear for jury selection on August 9, 2023 at 8:45 AM ET in Courtroom 28–A. Before that time, they shall furnish Chambers with print and electronic copies of their exhibits in accordance with the Court's instructions on the record today and the <u>320</u> Trial Procedures Order. Additionally, for those trial participants who are medically contraindicated against masking, they shall provide Chambers with copies of doctors notes before that time. Otherwise, masks shall be worn when not speaking or preparing to speak. Lastly, the parties shall convey their properly formatted exhibit lists via email to Chambers and the Courtroom Deputy forthwith . Signed by Judge Colleen Kollar-Kotelly on August 8, 2023. (lcckk1) (Entered: 08/08/2023)
08/08/2023	<u>360</u>	EXHIBIT LIST by USA as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, HERB GERAGHTY (Patel, Sanjay) (Entered: 08/08/2023)
08/08/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Final Pretrial Conference as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) held on 8/8/2023. Bond Status of Defendanta: Personal Recognizance as to All Defendants; Court Reporter: Tammy Nestor; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/08/2023)

08/09/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Selection as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) held on 8/9/2023 as to LAUREN HANDY (1) Count 1s,2s and JOHN HINSHAW (6) Count 1s,2s and HEATHER IDONI (7) Count 1s,2s and WILLIAM GOODMAN (8) Count 1s,2s and HERB GERAGHTY (10) Count 1,2. Jury Trial set for 8/10/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendants: Personal Recognizance as to All Defendants; Court Reporters: Tammy Nestor and Tammi Sefranek; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon, Bierina Jasari, Stephen M. Crampton; 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/09/2023)
08/10/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Selection as to LAUREN HANDY (1), JOHN HINSHAW (2), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) held on 8/10/2023 as to LAUREN HANDY (1) Count 1s,2s and JOHN HINSHAW (6) Count 1s,2s and HEATHER IDONI (7) Count 1s,2s and WILLIAM GOODMAN (8) Count 1s,2s and HERB GERAGHTY (10) Count 1,2. Jury Trial set for 8/11/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance as to All Defendants; Court Reporters: Tammy Nestor–AM; Tammi Sefranek–PM; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon, Bierina Jasari and Stephen M. Crampton; 2–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/10/2023)
08/11/2023	<u>361</u>	NOTICE of Signed Declarations by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Attachments: # <u>1</u> Exhibit A)(Ross, Rebecca) (Entered: 08/11/2023)
08/11/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly on 8/11/2023:Jury Selection held as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10). Jury Selection held and continued to 8/14/2023 at 09:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendants: Personal Recognizance; Court Reporter: Tammy Nestor (A.M.) / Tammi Sefranek (P.M); Defense Attorney: D. Boyle, M Cannon, B. Jasari, Stephen Crampton for defendant (1); Alfred Guillaume for defendant (6); Robert J. Dunn for defendant (7); Howard Walsh for defendant (8), John Kiyonaga for defendant (10).; US Attorney: John Crabb, Jr. and Sanjay Patel; (tj) (Entered: 08/11/2023)
08/13/2023	<u>362</u>	ENTERED IN ERROR.....Proposed Jury Instructions by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Patel, Sanjay) Modified on 8/14/2023 (zhsj). (Entered: 08/13/2023)
08/13/2023		NOTICE OF ERROR as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY regarding <u>362</u> Proposed Jury Instructions. The following error(s) need correction:

		Incorrect event used. Document is a Motion and not Proposed Jury Instruction. Please refile. (zhshj) (Entered: 08/14/2023)
08/14/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Selection resumed as to LAUREN HANDY(1), JOHN HINSHAW(6), HEATHER IDONI(7), WILLIAM GOODMAN(8), HERB GERAGHTY(10) and held on 8/14/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Jury Trial set for 8/15/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendants: Personal Recognizance as to All; Court Reporter: Tammi Sefraneke–AM; Tammy Nestor–PM; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/14/2023)
08/15/2023	<u>363</u>	MOTION to Supplement its Proposed Jury Instruction and revised verdict form by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re <u>362</u> Proposed Jury Instructions, Notice of Error, (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Patel, Sanjay) Modified Text on 8/15/2023 (zhshj). (Entered: 08/15/2023)
08/15/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Selection resumed and concluded. Jury Trial begun as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) held on 8/15/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) Count 1s,2s and HEATHER IDONI (7) Count 1s,2s and WILLIAM GOODMAN (8) Count 1s,2s and HERB GERAGHTY (10) Count 1,2. Oral Batson Motion by the Defendants; heard and denied. Jury Panel of twelve (12) and three (3) alternates sworn. Jury Trial set for 8/16/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance; Court Reporter: Nancy Meyer; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/15/2023)
08/15/2023		MINUTE ORDER: The Court having impaneled the jury in this action, it is hereby ORDERED that during trial and deliberations all meals for said jury shall be paid by the Clerk of the Court for the U.S. District Court for the District of Columbia. Approved by Judge Colleen Kollar-Kotelly on 8/15/23. (dot) (Entered: 08/15/2023)
08/16/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/16/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Same jury panel of Twelve (12) and Three (3) alternates. Jury Trial set for 8/17/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance as to All Defendants; Court Reporter: Tammi Sefraneke–AM; Tammy Nestor–PM; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel; Witnesses (Government): Ashley

		Jones, Sarah Compton, Sasha Proctor, Homere Whyte and Caroline Davis. (dot) (Entered: 08/16/2023)
08/16/2023		MINUTE ORDER as to LAUREN HANDY (1): During the direct examination of Government witness Caroline Davis, Government counsel asked the witness: "Did you hear from anybody who had participated in the rescue the next day that this individual may have used some force[?]" Defense counsel objected on hearsay grounds, and the Government argued that the answer would be admissible as a co-conspirator statement. The answer would not be a co-conspirator statement, because the statement could not have been made in furtherance of the conspiracy. Rather, the answer would be a "mere narrative[]" of past successes and failures, [which is] not admissible." <i>United States v. Tarantino</i> , 846 F.2d 1384, 1412 (D.C. Cir. 1988). That said, before definitively ruling on the objection, the Court will afford the Government the opportunity to indicate by 7:00 PM tonight (and pursuant to the <u>320</u> Trial Procedures Order): (1) what it expects the answer would be, and (2) what evidentiary purpose the answer would serve. Signed by Judge Colleen Kollar-Kotelly on August 16, 2023. (lcckk1) (Entered: 08/16/2023)
08/17/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/17/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Same jury panel of Twelve (12) and Three (3) alternates. Jury Trial set for 8/21/2023 at 9:00 AM in Courtroom 28A- In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance as to All Defendants; Court Reporter: Nancy Meyer-AM; Lisa Edwards-PM; Defense Attorney: 1-Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6-Alfred Guillaume, III; 7-Robert J. Dunn; 8-Howard J. Walsh, III; 10-John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel; Witnesses: Caroline Davis, Shampy Holler, Gregory Alemian, Robert Honaker, and Michael Biscardi. (dot) (Entered: 08/17/2023)
08/19/2023		MINUTE ORDER as to LAUREN HANDY (1): To assist the Court in resolving the Government's objection to Defendant's remaining two exhibits, Defendant shall provide an <i>ex parte</i> proffer to Chambers on or before August 21, 2023 at 10:00 AM ET explaining: (1) precisely which video Defendant watched that purportedly led her to believe that the Surgi-Clinic was engaged in purportedly unlawful behavior, and (2) precisely how Defendant would characterize her beliefs on the stand and specifically on what she would base her beliefs. Signed by Judge Colleen Kollar-Kotelly on August 19, 2023. (lcckk1) (Entered: 08/19/2023)
08/20/2023	<u>367</u>	Memorandum in Opposition by LAUREN HANDY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY re <u>316</u> Motion in Limine (Attachments: # <u>1</u> Exhibit)(Cannon, Martin) (Entered: 08/20/2023)
08/20/2023	<u>368</u>	SUPPLEMENT by USA as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY (Crabb, John) (Entered: 08/20/2023)
08/21/2023		MINUTE ORDER as to ALL DEFENDANTS: In light of certain issues with witness tampering that the Court placed on the record under seal on August 17, 2023, all

		transcripts of voir dire shall remain under seal until further order of the Court. Signed by Judge Colleen Kollar-Kotelly on August 21, 2023. (lcckk1) (Entered: 08/21/2023)
08/21/2023	<u>370</u>	MOTION for Reconsideration of <i>Motion to Dismiss for Selective Prosecution</i> by HERB GERAGHTY as to LAUREN HANDY, JONATHAN DARNEL, JAY SMITH, PAULA PAULETTE HARLOW, JEAN MARSHALL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, JOAN BELL, HERB GERAGHTY. (Kiyonaga, John) (Entered: 08/21/2023)
08/21/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/21/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Same jury panel of Twelve (12) and Three (3) alternates. Government Rest. Oral Rule 29 Motion by the Defendants to Dismiss; heard and taken under advisement. Jury Trial set for 8/22/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendants: Personal Recognizance as to All Defendants; Court Reporter: Tammy Nestor–AM; Tammi Sefranek–PM; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon, Bierina Jasari and Stephen M. Crampton; 2–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel; Witnesses (Government): Michael Biscardi, Tyler Fox, Mary Digilo and Tina Smith. (dot) (Entered: 08/21/2023)
08/21/2023	<u>372</u>	MEMORANDUM OPINION AND ORDER as to LAUREN HANDY (1), WILLIAM GOODMAN (8), AND HERB GERAGHTY (10) granting remainder of <u>316</u> Motion to Exclude Certain Defense Exhibits. Signed by Judge Colleen Kollar-Kotelly on August 21, 2023. (lcckk1) (Entered: 08/21/2023)
08/22/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/22/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Same jury panel of Twelve (12) and Three (3) alternates. Jury Trial set for 8/23/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendants: Personal Recognizance as to All Defendants; Court Reporter: Nancy Meyer–AM, Tammy Nestor–PM; Defense Attorney: 1–Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel; Witnesses (Defendants): Lauren B. Handy, Heather Idoni and Herb Geraghty. (dot) (Entered: 08/22/2023)
08/23/2023	<u>373</u>	RESPONSE by USA as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, HERB GERAGHTY re <u>370</u> MOTION for Reconsideration of <i>Motion to Dismiss for Selective Prosecution</i> (Patel, Sanjay) (Entered: 08/23/2023)
08/23/2023	<u>377</u>	MOTION for Waiver of <i>Appearance of Lauren Handy</i> by LAUREN HANDY. (Crampton, Stephen) (Entered: 08/23/2023)
08/23/2023	<u>378</u>	Proposed Jury Instructions by LAUREN HANDY as to LAUREN HANDY, JOHN HINSHAW, WILLIAM GOODMAN, HERB GERAGHTY (Crampton, Stephen) (Entered: 08/23/2023)
08/23/2023	<u>379</u>	

		Proposed Jury Instructions by LAUREN HANDY as to LAUREN HANDY, JOHN HINSHAW, WILLIAM GOODMAN, HERB GERAGHTY (Crampton, Stephen) (Entered: 08/23/2023)
08/23/2023		MINUTE ORDER as to LAUREN HANDY (1) granting Defendant's <u>377</u> request to forgo appearance during legal discussions later today related to jury instructions in light of Defendant's signed waiver. Signed by Judge Colleen Kollar-Kotelly on August 23, 2023. (lcckk1) (Entered: 08/23/2023)
08/23/2023		MINUTE ORDER as to LAUREN HANDY (1): The Court is in receipt of Defendant's <u>378</u> Proposed Jury Instruction. Defendant proposes two changes to the Court's instruction on the substantive law of Count Two of the operative indictment. First, Defendant requests that the Court add the word "intentionally" before the Court's discussion of the conduct proscribed by the statute. The Court purposefully breaks into distinct paragraphs the conduct proscribed by statute and the mental state required for conviction. Because the instruction otherwise appropriately explains the required mental state, the Court rejects this first proposed change. Second, Defendant proposes that the Court omit the last sentence, the Court's explanation that a Defendant may harbor mixed motives and nevertheless possess the requisite mental state, with a pithier "but for" earlier in the instruction. Although briefer, the Court's last sentence more clearly explains the mental state required. Insofar as Defendant evidently agrees that mixed motives satisfies the requisite mental state, the Court will not make this second change either. Altogether, the Court rejects Defendant's <u>378</u> Proposed Jury Instruction. Signed by Judge Colleen Kollar-Kotelly on August 23, 2023. (lcckk1) (Entered: 08/23/2023)
08/23/2023		<p>MINUTE ORDER as to LAUREN HANDY (1): The Court has reviewed Defendant's <u>379</u> Proposed Jury Instruction. First, Defendant proposes conforming the Court's Redbook instruction with elements expressed in the Department of Justice's Justice Manual. When offered a choice between nonbinding judicial commentary and a standard instruction that accurately expresses the law of this jurisdiction, the Court will opt for the standard instruction. The Court will, however, include the last paragraph of the Government's proposed instruction, which more accurately captures the Supreme Court's holding in <i>Rosemond v. United States</i>, 572 U.S. 65 (2014).</p> <p>Second, Defendant proposes adding an instruction that "[t]he First Amendment does not allow the Government to hold a protest leader liable anytime a protestor does something unlawful. Rather, liability must be tailored such that there is a sufficiently close relationship between the leader's actions and the protestor's unlawful conduct." As a threshold matter, the Court has found numerous times that the operative indictment does not implicate the First Amendment, including the provision charging aiding-and-abetting under 18 U.S.C. 2. Nor, again, will the Court have the jury speculate as to what the First Amendment does and does not protect in certain circumstances. Doing so invites nullification, which is lawless. In any event, Defendant's cited authority or such a proposition carries little to no weight. <i>Doe v. McKesson</i>, 71 F.4th 278 (5th Cir. 2023) concerns itself with respondeat superior liability in the civil context, not aiding-and-abetting liability in the criminal context.</p> <p>Lastly, and upon further review of the evidence in the case and research, the Court will include an instruction on co-conspirator liability, as requested by the Government. The Court's instruction is modeled in large part on Redbook Instruction 7.103, and adds to the Government's proposed instruction that the conspirator's unlawful conduct must have been reasonably foreseeable as a consequence of the</p>

	<p>unlawful conspiracy. <i>See United States v. Khatallah</i>, 41 F.4th 608, 626 (D.C. Cir. 2022). Such an instruction is often appropriate where, as here, a defendant admits knowledge and approval of certain unlawful conduct that the jury could find was an object of the charged conspiracy. <i>See United States v. Ballestas</i>, 795 F.3d 138, 146 (D.C. Cir. 2015).</p> <p>Signed by Judge Colleen Kollar-Kotelly on August 23, 2023. (lcckk1) (Entered: 08/23/2023)</p>
08/23/2023	<p>MINUTE ORDER as to LAUREN HANDY (1): During the Court's initial discussion with the parties as to jury instructions earlier today, Defendant requested a jury instruction related to the Born-Alive Infants Protection Act ("Act"), 1 U.S.C. 8. Counsel for Defendant appeared to argue that the statute extends Defendant some sort of safe harbor from criminal liability if the jury finds that Defendant genuinely believed that the clinic at issue engaged in certain unlawful conduct. Not so. The Act is a "definitions" statute: it clarifies that, when interpreting federal law, the word "person," among others, means "every infant member of the species homo sapien who is born alive at any stage of development." 1 U.S.C. 8(a). It creates no safe harbor or affirmative defense. To be sure, it may clarify that 18 U.S.C. 248 does not criminalize the purposeful obstruction of actions that are not, within the meaning of section 248, "reproductive health services," but the Court already explains the meaning of that term for the jury in its instruction on the law of Count Two. There is no evidence in this case that would permit the jury to find that the clinic engaged in any unlawful conduct (i.e., infanticide), and the only mention of that assertion is in testimony that the jury was instructed to consider only as to belief, not for the truth of the matter asserted. As such, and for the reasons the Court placed on the record, Defendant's request for any such instruction is rejected. Signed by Judge Colleen Kollar-Kotelly on August 23, 2023. (lcckk1) (Entered: 08/23/2023)</p>
08/23/2023	<p>Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/23/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Same jury panel of Twelve (12) and Three (3) alternates. Jury Trial set for 8/24/2023 at 9:00 AM in Courtroom 28A- In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance; Court Reporter: Nancy Meyer-AM, Tammy Nestor-PM; Defense Attorney: 1-Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6-Alfred Guillaume, III; 7-Robert J. Dunn; 8-Howard J. Walsh, III; 10-John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel; Witness (Defendant): Herb Geraghty. (dot) (Entered: 08/23/2023)</p>
08/24/2023	<p>Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/24/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Same jury panel of Twelve (12) and Three (3) alternates. Closing arguments. Jury Trial set for 8/25/2023 at 9:00 AM in Courtroom 28A- In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance; Court Reporter: Tammi Sefraneke-AM; Tammy Nestor-PM; Defense Attorney: 1-Dennis E. Boyle, Martin A. Cannon and Bierina Jasari; 6-Alfred Guillaume, III; 7-Robert J. Dunn; 8-Howard J. Walsh, III; 10-John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/24/2023)</p>

08/25/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/25/2023 as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Jury instruction held. Three (3) alternates discharged. Jury Deliberation begun and continued. Same jury panel of Twelve (12). Jury Deliberation set for 8/29/2023 at 9:00 AM in Courtroom 28A– In Person before Judge Colleen Kollar-Kotelly. Bond Status of Defendant: Personal Recognizance; Court Reporter: Nancy Meyer; Defense Attorney: 1– Martin A. Cannon and Stephen M. Crampton 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/25/2023)
08/29/2023		<p>MINUTE ORDER as to LAUREN HANDY (1); JOHN HINSHAW (6); HEATHER IDONI (7); WILLIAM GOODMAN (8); HERB GERAGHTY (10): For the reasons stated on the record, and in light of the jury's findings, the Court concludes that Defendants have been convicted of a crime of violence. The Court further finds that there is no substantial likelihood that a motion for acquittal or new trial will be granted. Because the Government has indicated that it will recommend a term of incarceration as to each Defendant, and pursuant to 18 U.S.C. 3143(a)(2), the Court ordered each Defendant detained pending sentencing.</p> <p>Additionally, the Court set a briefing schedule for forthcoming post-trial motion(s). Defendants shall file their post-trial motion(s), ideally collectively, on or before September 29, 2023; the Government shall file its opposition on or before October 13, 2023, and Defendants shall file their reply(ies) on or before October 27, 2023.</p> <p>Signed by Judge Colleen Kollar-Kotelly on August 29, 2023. (lcckk1) (Entered: 08/29/2023)</p>
08/29/2023		Minute Entry for proceedings held before Judge Colleen Kollar-Kotelly: Jury Trial held on 8/29/2023 and concluded as to LAUREN HANDY (1) as to Count 1s,2s and JOHN HINSHAW (6) as to Count 1s,2s and HEATHER IDONI (7) as to Count 1s,2s and WILLIAM GOODMAN (8) as to Count 1s,2s and HERB GERAGHTY (10) as to Count 1,2. Same jury panel of Twelve (12). Defendants Committed; commitment issued as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10). JURY VERDICT as to LAUREN HANDY (1) Guilty on Count 1s,2s and JOHN HINSHAW (6) Guilty on Count 1s,2s and HEATHER IDONI (7) Guilty on Count 1s,2s and WILLIAM GOODMAN (8) Guilty on Count 1s,2s and HERB GERAGHTY (10) Guilty on Count 1,2. Jury polled and discharged. Defendant's Rule 29 Motion due by 11/29/2023. Response due by 10/13/2023 Reply due by 10/27/2023. Bond Status of Defendants: Committed as to All Defendants; Court Reporter: Tammy Nestor; Defense Attorney: 1–Dennis E. Boyle and Stephen M. Crampton; 6–Alfred Guillaume, III; 7–Robert J. Dunn; 8–Howard J. Walsh, III; 10–John C. Kiyonaga; US Attorney: John Crabb, Jr. and Sanjay H. Patel. (dot) (Entered: 08/29/2023)
08/29/2023	<u>386</u>	RESPONSE by USA as to LAUREN HANDY, JONATHAN DARNEL, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, HERB GERAGHTY re <u>370</u> MOTION for Reconsideration of Motion to Dismiss for Selective Prosecution Amended Response by USA (Patel, Sanjay) (Entered: 08/29/2023)
08/30/2023	<u>387</u>	

		Emergency MOTION for Reconsideration of <i>Order of Detention Pending Imposition of Sentence</i> by LAUREN HANDY. (Attachments: # <u>1</u> Text of Proposed Order)(Boyle, Dennis) (Entered: 08/30/2023)
08/30/2023		MINUTE ORDER as to LAUREN HANDY (1), JOHN HINSHAW (6); HEATHER IDONI (7); WILLIAM GOODMAN (8); HERB GERAGHTY (10): The Court is in receipt of Defendant Handy's <u>387</u> Emergency Motion for Reconsideration. The Court presumes that Defendants Hinshaw, Idoni, and Geraghty join the Motion; Defendant Goodman has already indicated that he joins the Motion. The Government shall file a response on or before August 30, 2023 at 5:00 PM ET . The Court is cognizant that this deadline provides little time for the Government to respond and encourages the Government to consult with its appellate division. Signed by Judge Colleen Kollar-Kotelly on August 30, 2023. (lcckk1) (Entered: 08/30/2023)
08/30/2023	<u>392</u>	MOTION for Extension of Time to <i>Respond to Defendants Emergency Motion for Reconsideration of Order of Detention Pending Imposition of Sentence</i> by USA as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, HERB GERAGHTY. (Attachments: # <u>1</u> Text of Proposed Order)(Ross, Rebecca) (Entered: 08/30/2023)
08/30/2023	<u>393</u>	RESPONSE by LAUREN HANDY re <u>392</u> MOTION for Extension of Time to <i>Respond to Defendants Emergency Motion for Reconsideration of Order of Detention Pending Imposition of Sentence</i> (Boyle, Dennis) (Entered: 08/30/2023)
08/30/2023		MINUTE ORDER as to LAUREN HANDY (1); JOHN HINSHAW (6); HEATHER IDONI (7); WILLIAM GOODMAN (8); HERB GERAGHTY (10) granting the Government's <u>392</u> Motion for Enlargement of Time, over Defendant Handy's and Goodman's opposition. The Government shall file its opposition on or before August 31, 2023 at 10:00 AM ET . Defendants may file their reply(ies) on or before August 31, 2023 at 1:30 PM ET . Signed by Judge Colleen Kollar-Kotelly on August 30, 2023. (lcckk1) (Entered: 08/30/2023)
08/30/2023	<u>395</u>	RESPONSE by USA as to LAUREN HANDY, JOHN HINSHAW, HEATHER IDONI, WILLIAM GOODMAN, HERB GERAGHTY re <u>387</u> Emergency MOTION for Reconsideration of <i>Order of Detention Pending Imposition of Sentence</i> , <u>389</u> Emergency MOTION for Reconsideration of <i>Order of Detention</i> (Patel, Sanjay) (Entered: 08/30/2023)
08/31/2023	<u>396</u>	REPLY in Support by LAUREN HANDY re <u>387</u> Emergency MOTION for Reconsideration of <i>Order of Detention Pending Imposition of Sentence</i> (Crampton, Stephen) (Entered: 08/31/2023)
08/31/2023	<u>397</u>	MEMORANDUM OPINION AND ORDER as to LAUREN HANDY (1), JOHN HINSHAW (6), HEATHER IDONI (7), WILLIAM GOODMAN (8), HERB GERAGHTY (10) denying <u>387</u> and <u>389</u> Emergency Motions for Reconsideration. Signed by Judge Colleen Kollar-Kotelly on August 31, 2023. (lcckk1) (Entered: 08/31/2023)
08/31/2023	<u>398</u>	NOTICE OF APPEAL (Interlocutory) by LAUREN HANDY re <u>397</u> Order,, Memorandum Opinion,. Filing fee \$ 505, receipt number ADCDC-10319628. Fee Status: Fee Paid. Parties have been notified. (Boyle, Dennis) (Entered: 08/31/2023)
09/01/2023	<u>401</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid on 8/31/2023 as to LAUREN HANDY re <u>398</u> Notice of Appeal – Interlocutory. (zhsj) (Entered: 09/01/2023)

United States District Court for the District of Columbia

UNITED STATES OF AMERICA

vs.

Lauren Handy

Criminal No. 22-CR-96

NOTICE OF APPEAL

Name and address of appellant:

Lauren Handy
William G. Truesdale Adult Detention Center
2001 Mill Rd
Alexandria, VA 22314

Name and address of appellant's attorney:

Dennis E. Boyle
Boyle & Jasari
1050 Connecticut Ave, NW, Suite 500
Washington, D.C. 20036

Offense: 18 U.S.C. § 241 (Conspiracy Against Rights); 18 U.S.C. §§ 248(a)(1), 2 (Clinic Access Obstruction)

Concise statement of judgment or order, giving date, and any sentence:

Memorandum Opinion and Order Denying Emergency Motion for Reconsideration of
Order of Detention Pending Imposition of Sentence, August 31, 2023.

Name and institution where now confined, if not on bail: William G. Truesdale Adult Detention Center

I, the above named appellant, hereby appeal to the United States Court of Appeals for the
District of Columbia Circuit from the above-stated judgment.

August 31, 2023

DATE

/s/ Lauren Handy

APPELLANT

/s/ Dennis E. Boyle

ATTORNEY FOR APPELLANT

GOVT. APPEAL, NO FEE

CJA, NO FEE

PAID USDC FEE

PAID USCA FEE

Does counsel wish to appear on appeal?

Has counsel ordered transcripts?

Is this appeal pursuant to the 1984 Sentencing Reform Act?

YES ☒

YES ☐

YES ☐

NO ☐

NO ☒

NO ☒

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

LAUREN HANDY, *et al.*

Defendants.

Criminal Action No. 22-096 (CKK)

MEMORANDUM OPINION AND ORDER
(August 31, 2023)

The indictment in this case charged Defendants¹ with (1) conspiracy against rights, in violation of 18 U.S.C. 241; and (2) forcibly obstructing a reproductive health clinic, in violation of 18 U.S.C. § 248(a). On August 29, 2023, a jury found Defendants guilty on both counts. The jury made an additional special finding, concluding that each Defendant used force to prevent access to or provision of reproductive health services at the clinic at issue. The jury further found that, in addition to force, Defendants also used physical obstruction. Based on this special finding, the Court concluded that Defendants had been found guilty of a “crime of violence” within the meaning of 18 U.S.C. § 3156(a)(4)(A). The Court further concluded that there was not a substantial likelihood of success on any post-trial motion. Because the Government also represented that it would seek a term of incarceration at sentencing, the Court found that it had no choice but to order Defendants detained pending sentencing. *See* 18 U.S.C. § 3143(a)(2) (“The judicial officer *shall* order that a person who has been found guilty of [among other things, a crime of violence and is] awaiting imposition or execution be detained” under these circumstances. (emphasis added)).

¹ Lauren Handy (1), John Hinshaw (6), Heather Idoni (7), William Goodman (8), and Herb Geraghty (10).

Defendants have now moved for reconsideration on an emergency basis.² Defendants argue that 18 U.S.C. § 248, commonly called the Freedom of Access to Clinic Entrances Act (or FACE Act), is not categorically a crime of violence, because a defendant may violate the statute through nonviolent means. Though a point well taken, the Court concludes that the FACE Act creates distinct offenses, some of which are crimes of violence. Because the jury clearly convicted each Defendant on a sub-offense exclusively criminalizing violence against person or property, the Court shall **DENY** the [387] and [389] Emergency Motions for Reconsideration.

To determine whether the jury convicted Defendants of a “crime of violence,” the Court begins with elements of the offense as set forth in the statute. *See Descamps v. United States*, 570 U.S. 254, 260-61 (2013). The FACE Act criminalizes the use of “force,” the “threat of force,” or “physical obstruction” in order to “injure, intimidate, or interfere with” a person provided or receiving “reproductive health services.” 18 U.S.C. 248(a)(1). Any one type of conduct suffices to violate the statute. *See Terry v. Reno*, 101 F.3d 1412, 1418 (D.C. Cir. 1996). The statute does not stop there, however. It also provides for certain penalties based on the kind of conduct a defendant employed. For violent physical obstruction, force, or threat of force, it provides for a year of imprisonment. 18 U.S.C. § 248(b)(1). For nonviolent physical obstruction on a first offense (which applies to all Defendants here), it provides for six months of imprisonment. *Id.* (b)(2). Where “bodily injury results,” it carries a ten-year term of incarceration. *Id.* Where “death results,” it carries a term of up to life. *Id.*

By delineating different penalties for certain violations of the statute, the FACE Act is “divisible,” i.e., it defines “multiple crimes” based on punishment. *See Mathis v. United States*,

² ECF Nos. 387 (Defendant Handy) and 389 (Defendant Idoni). By minute order, the Court alerted the parties that the Court would assume that all Defendants joined the [387] Motion unless otherwise stated.

579 U.S. 500, 518 (2016). In such a circumstance, the Court looks to, among other things, “the indictment[and] jury instructions” in order to determine of which sub-offense a defendant was convicted and, thereby, whether that sub-offense is a crime of violence. *See United States v. Redrick*, 841 F.3d 478, 482 (D.C. Cir. 2016). For present purposes, a crime of violence is “an offense that has as an element of the offense the use, the attempted use, or threatened use of physical force against the person or property of another.” *See United States v. Sabol*, 534 F. Supp. 3d 58, 57 (D.D.C. 2021) (quoting 18 U.S.C. § 3156(a)(4)(A)). The more serious misdemeanor delineated in 18 U.S.C. § 248(b)(1) is exactly that—the use of force, the threat of force, or the use of *violent* physical obstruction. All such violations of this subsection are necessarily crimes of violence, because *nonviolent* physical obstruction constitutes a separate offense within the same statutory section.

Here, the Government charged each Defendant with *both* force *and* physical obstruction. Superseding Indictment, ECF No. 113 ¶ 38 (Oct. 14, 2022). Recognizing that the jury could then either convict for force or violent physical obstruction under 18 U.S.C. § 248(b)(1) or for nonviolent physical obstruction under subsection (b)(2), the Court prepared a special verdict form that directed the jury to choose either or both if it found a Defendant guilty of violating the FACE Act. The Court further instructed the jury that “force” means “power and/or violence exerted upon or against a person or property.” Therefore, if the jury returned a guilty verdict as to “force,” the Court would conclude that the jury convicted a Defendant under subsection (b)(1), misdemeanor, violent violation of the FACE Act. If the jury returned a guilty verdict only as to “physical obstruction,” the Court would conclude that the jury convicted a Defendant under subsection (b)(2). Because the jury returned a guilty verdict as to “force,” the jury convicted each Defendant of a crime of violence. The jury having done so, the Court has no choice but to

order Defendants detained pending sentencing.

Accordingly, and for the foregoing reasons, it is hereby

ORDERED, that Defendant Handy's [387] Emergency Motion for Reconsideration and Defendant Idoni's [389] Emergency Motion for Reconsideration are **DENIED**.

SO ORDERED.

Dated: August 31, 2023

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge